

MAZAROLI

MAR 14 2008

LAW OFFICE

DLM REF.: 7C-1594

WAIVER OF SERVICE OF SUMMONS

TO: David L. Mazaroli, Attorney for Plaintiff

I acknowledge receipt of your request that I waive service of a summons in the action of **FEDERAL INSURANCE COMPANY v. NYK LOGISTICS (AMERICAS) Inc., et al.** which is case number 08 CIV. 1584 (BSJ) in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without costs to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after **February 20, 2008**, or within 90 days after that date if the request was sent outside the United States.

NYK Logistics (Americas) Inc.
c/o CT Corporation System
111 Eighth Ave.
New York, NY 10011

3/10/08
Date

Signed: _____
Name:

Title: *Assistant General Counsel*

Company: *NYK Logistics (Americas) Inc.*